

The City of **Boynton Beach**



City Commission Agenda Tuesday, August 2, 2022, 5:00 PM

GoToWebinar Online Meeting and City Hall Commission Chambers, 100
E. Ocean Avenue

Boynton Beach City Commission

Mayor Ty Penserga (At Large)
Vice Mayor Angela Cruz (District I)
Commissioner Woodrow L. Hay (District II)
Commissioner Thomas Turkin (District III)
Commissioner Aimee Kelley (District IV)

James Stables, Interim City Manager
Michael Cirullo, City Attorney
Maylee DeJesús, City Clerk

Mission

**To create a sustainable community by providing exceptional
municipal services, in a financially responsible manner.**

America's Gateway to the Gulfstream



www.boynton-beach.org

Welcome
Thank you for attending the City Commission Meeting

**General Rules & Procedures for Public Participation at
City of Boynton Beach Commission Meetings**

The Agenda:

There is an official agenda for every meeting of the City Commissioners, which determines the order of business conducted at the meeting. The City Commission will not take action upon any matter, proposal, or item of business, which is not listed upon the official agenda, unless a majority of the Commission has first consented to the presentation for consideration and action.

- **Consent Agenda Items:** These are items which the Commission does not need to discuss individually and which are voted on as a group.
- **Regular Agenda Items:** These are items which the Commission will discuss individually in the order listed on the agenda.
- **Voice Vote:** A voice vote by the Commission indicates approval of the agenda item. This can be by either a regular voice vote with "Ayes & Nays" or by a roll call vote.

Speaking at Commission Meetings:

The public is encouraged to offer comment to the Commission at their meetings during Public Hearings, Public Audience, and on any regular agenda item, as hereinafter described.

City Commission meetings are business meetings and, as such, the Commission retains the right to impose time limits on the discussion on an issue.

- **Public Hearings:** Any citizen may speak on an official agenda item under the section entitled "Public Hearings."
- **Public Audience:** Any citizen may be heard concerning any matter within the scope of the jurisdiction of the Commission - Time Limit - Three (3) Minutes.

Regular Agenda Items: Any citizen may speak on any official agenda item(s) listed on the agenda after a motion has been made and properly seconded, with the exception of Consent Agenda Items that have not been pulled for separate vote, reports, and presentations. - Time Limit - Three (3) Minutes.

Addressing the Commission: When addressing the Commission, please step up to either podium and state your name for the record.

Decorum: Any person who disputes the meeting while addressing the Commission may be ordered by the presiding officer to cease further comments and/or to step down from the podium. Failure to discontinue comments or step down when so ordered shall be treated as a continuing disruption of the public meeting. An order by the presiding officer issued to control the decorum of the meeting is binding, unless over-ruled by the majority vote of the Commission members present.

Please turn off all cellular phones in the City Commission Chambers while the City Commission Meeting is in session.

The City of Boynton Beach encourages interested parties to attend and participate in public meetings either in-person or via communications media technology online. To view and/or participate in the City Commission meeting online you have the following options:

1. Watch the meeting online, but not participate:

You may watch the meeting via the GoToWebinar platform. Visit the City's website at www.boynton-beach.org to access the up-to-date link to the meeting.

2. Watch the meeting online and provide public comment during the meeting:

To request to speak during the meeting, you can electronically "raise your hand" or type a question using the GoToWebinar platform. The meeting moderator will announce when it is your turn to speak or have your question addressed. Please note that time limits will be enforced so comments must be limited to no more than 3 minutes.

For additional information or for special assistance prior to the meeting, please contact Maylee De Jesús, City Clerk at cityclerk@bbfl.us or (561) 742-6061.

1. **Openings**

A. Call to Order - Mayor Ty Penserga

Roll Call

Closed Door Session

Pursuant to Section 286.011(8), Florida Statutes, the City Attorney requested a private attorney-client session of the City Commission to discuss the following case:

CITY OF BOYNTON BEACH, a Florida municipal corporation,
Plaintiff, vs. JKM BTS CAPITAL, LLC, Defendant - Palm Beach
County Circuit Court
Case Number: 50-2020CA012780-XXXX-MB

In attendance will be the Assistant City Attorney Quentin Morgan, Special Litigation Counsel Thomas Baird, Interim City Manager Jim Stables, a Court Reporter, the Mayor and City Commission. Some participants may attend telephonically or by communications media technology (CMT). Approximately 60 minutes will be needed.

Invocation by Pastor Amalie Ash, First Presbyterian Church

Pledge of Allegiance to the Flag led by Commissioner Thomas Turkin

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

2. **Other**

A. Informational items by the Members of the City Commission.

3. **Announcements, Community And Special Events And Presentations**

4. **Public Audience**

Individual Speakers Will Be Limited To 3 Minute Presentations (at the discretion of the Chair, this 3 minute allowance may need to be adjusted depending on the level of business coming before the City Commission)

5. **Administrative**

- A. Mr. Michael Wilson is term limited as a Board Member on the Historic Resources Preservation Board and has requested that the City Commission consider his re-appointment.
- B. Appoint eligible members of the community to serve in vacant positions on City Advisory Boards.

6. **Consent Agenda**

Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments

- A. Authorize utilizing the GSA contract GS-07F-173GA, previously approved on September 1, 2020, for the purchase of equipment and services for installation and configuration of Avigilon Security Camera system from Broadcast Systems in the amount of \$62,156.25.

- B. **Proposed Resolution No. R22-103** - Approve and authorize the Interim City Manager to sign a First Amendment to the Grant Agreement between the City of Boynton Beach and J & I Optical, LLC.
- C. **Proposed Resolution No. R22-104.** Approve and authorize the Interim City Manager to sign a Grant Agreement for the Marketing and Digital Connectivity Small Business Grant Program funding in the amount of \$2,500 for 4 Reel Services Inc. located at 332 W. Boynton Beach Blvd. Suite 2, Boynton Beach, FL 33435.
- D. Approve minutes from the July 19, 2022 City Commission Meeting.

7. Consent Bids And Purchases Over \$100,000

- A. Approve scope of work to be performed by Killebrew, Inc. of Lakeland, FL that includes pre-chlorinated pipe bursting of potable water mains on Orchid Rd., Seagrape Rd., Oleander Rd., and Washington Rd., in the amount of \$593,470 plus a 10% contingency of \$59,347 (if needed) for staff approval of change orders for unforeseen conditions for a total expenditure of \$652,817 and approve the Utilities Capital Improvement Plan (CIP) budget adjustment of \$286,948 for the proposed project.
- B. Re-Award Task Order No. F-03-2022, Boynton Beach Women's Club Restrooms, part of Bid No. 028-2511-20/RW for Minor Construction Services and authorize the issuance of a purchase order to Anzco, Inc. of as the lowest, responsive, responsible bidder for the total amount of \$115,000.
- C. Approve Task Order UT-3E-04 with West Architecture + Design, LLC in the amount of \$118,040.00 for the Water Quality Laboratory Improvements project at the West Water Treatment Plant in accordance with RFQ No. 046-2821-17/TP, General Consulting Services Contract, Scope Category E awarded by City Commission on August 7, 2018, renewed on August 3, 2021.
- D. **Proposed Resolution No. R22-105** - Approve utilizing the School District of Manatee County Invitation to Bid (ITB) ID # 21-0053-MR and Authorize the Interim City Manager to sign an agreement with Playmore West, Inc. dba Playmore Recreational Products & Services of Fort Myers, FL for Park and Playground Equipment with the estimated cost of \$300,000. The School District of Manatee County's procurement process satisfies the City's competitive bid requirements.

8. Public Hearing

6 p.m. or as soon thereafter as the agenda permits.

The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

9. City Manager's Report - None

10. Unfinished Business - None

11. New Business

- A. **Proposed Resolution No. R22-106** - Approve an Interlocal Agreement with the Town of Hypoluxo for a Septic to Sewer project to eliminate the use of septic tanks in the Town's commercial area west of the FEC Railroad.

12. Legal - None

13. Future Agenda Items

- A. Discussion on options for expenditure of CDBG Funds - **August 16, 2022**
- B. Discussion on Commission consensus on top 3 candidates for City Manager. Each City Commissioner to prepare list of their top 5 candidates for the discussion. - **August 16, 2022**

- C. Commission discussion on staff research of legal options to help mitigate rental prices and tenant rights, requested by Mayor Penserga. - **TBD**
- D. Discussion on the Red Light Camera Program requested by Commissioner Turkin. - **TBD**
- E. Discussion on observing Juneteenth as a City holiday, requested by Commissioner Hay. - **TBD**
- F. Local Rules and Procedures for Commission Meetings, requested by Mayor Penserga.-**TBD**
- G. Discuss a potential park in Leisureville, requested by Vice Mayor Cruz. - **TBD**
- H. Research feasibility of Solar Panels on City buildings, requested by Mayor Penserga.- **TBD**
- I. Report on the status of infrastructure within the City, requested by Mayor Penserga.-**TBD**
- J. Consider a LDR amendment to add a requirement for a minimum commercial area percentage to mixed use developments, requested by Vice Mayor Cruz.-**TBD**
- K. Additional homestead for low income seniors, requested by Mayor Penserga.
- L. Discussion on Advisory Boards providing an annual report to the City Commission, requested by Commissioner Kelley. - **TBD**

14. Adjournment

Notice

If a person decides to appeal to any decision made by the City Commission with respect to any matter considered at this meeting, He/She will need a record of the proceedings and, for such purpose, He/She may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

The city shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the city. Please contact the City Clerk's office, (561) 742-6060 or (TTY) 1-800-955-8771, at least 48 hours prior to the program or activity in order for the city to reasonably accommodate your request.

Additional agenda items may be added subsequent to the publication of the agenda on the city's web site. Information regarding items added to the agenda after it is published on the city's web site can be obtained from the office of the City Clerk.



City of Boynton Beach Agenda Item Request Form

Commission Meeting Date: 8/2/2022

Requested Action by Commission:

Call to Order - Mayor Ty Penserga

Roll Call

Closed Door Session

Pursuant to Section 286.011(8), Florida Statutes, the City Attorney requested a private attorney-client session of the City Commission to discuss the following case:

CITY OF BOYNTON BEACH, a Florida municipal corporation, Plaintiff, vs.
JKM BTS CAPITAL, LLC, Defendant - Palm Beach County Circuit Court
Case Number: 50-2020CA012780-XXXX-MB

In attendance will be the Assistant City Attorney Quentin Morgan, Special Litigation Counsel Thomas Baird, Interim City Manager Jim Stables, a Court Reporter, the Mayor and City Commission. Some participants may attend telephonically or by communications media technology (CMT). Approximately 60 minutes will be needed.

Invocation by Pastor Amalie Ash, First Presbyterian Church

Pledge of Allegiance to the Flag led by Commissioner Thomas Turkin

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

Explanation of Request:

How will this affect city programs or services?

Fiscal Impact:

Alternatives:

Strategic Plan:

Strategic Plan Application:

Climate Action Application: